

UNITED STATES OF AMERICA  
 NATIONAL TRANSPORTATION SAFETY BOARD  
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

MV ETHAN ALLEN,  
 LAKE GEORGE, NEW YORK,  
 OCTOBER 2, 2005

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 \* Docket No.: DCA 06 MM 001  
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Interview of: KAREN BADEY

National Transportation Safety Board  
 490 L'Enfant Plaza East, S.W.  
 Washington, DC 20594

Wednesday,  
 October 10, 2005

The above-captioned matter convened, pursuant to  
 notice, at 3:00 p.m.

BEFORE: BRIAN CURTIS

## APPEARANCES:

BRIAN CURTIS  
National Transportation Safety Board

PETER GIONET  
New York State Parks

MARIETTE BURER  
National Transportation Safety Board

ROB HENRY  
National Transportation Safety Board

HUGH QUIRK  
Shoreline Cruises

DOUGLAS DAVID  
Warren County Sheriff's Office

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I N T E R V I E W

(3:00 p.m.)

1  
2  
3 MR. CURTIS: Good afternoon. It's October 10th,  
4 2005, at 3 p.m., and we're here to interview Karen Badey for  
5 any information she may have that would be helpful to us in  
6 regards to the October 2nd capsizing of the Ethan Allen.  
7 Karen, we just want to ask you some questions, any information  
8 that may be helpful in our investigation, the NTSB, we're here  
9 to do a safety investigation regarding this accident. Before  
10 we get started, we can go around the room, just everybody  
11 identify themselves and who's here. I'm Brian Curtis with the  
12 NTSB.

13 MS. BADEY: Karen Badey with the Lake George  
14 Association.

15 MR. GIONET: Peter Gionet, New York State Parks.

16 MS. BURER: Mariette Burer, NTSB.

17 MR. HENRY: Bob Henry, NTSB.

18 MR. QUIRK: Hugh Quirk, Shoreline Cruises.

19 MR. DAVID: Investigator Douglas David, Warren County  
20 Sheriff's Office.

21 MR. CURTIS: Okay, Karen, we'll get started.

22 INTERVIEW OF KAREN BADEY

23 BY MR. CURTIS:

24 Q. First of all, how frequently did you ride the Ethan  
25 Allen?

1           A.   Fairly frequently. I was -- I actually looked before  
2 I came. I think I averaged somewhere between, the minimum was  
3 20 days a year and up to 35 days a year in the last 5 years.  
4 I've been doing it for 5 years.

5           Q.   Five years, okay. And in what capacity were you on  
6 the Ethan Allen? If you could explain a little bit about the  
7 Lake George Association.

8           A.   Sure. We use the -- I'm the Education Outreach  
9 Coordinator, and we run a program called the Floating  
10 Classroom, and we take school groups out for about a two-hour  
11 boat ride, and we do different water quality experiments on the  
12 lake. Most of the time, we do two sessions in a day, and one  
13 group goes out in the morning, and then goes to Upland Farm in  
14 the afternoon. The group at Upland Farm then goes out in a  
15 boat, they do a swap after lunch, so we usually do two groups a  
16 day, two hours or an hour and a half each session, depending on  
17 what the school has time for.

18          Q.   And this is every day of the week?

19          A.   Usually, there's an intense session in the fall for  
20 about three or four weeks. And in the spring usually an  
21 intense session of three or four weeks that we do it. And then  
22 in the summertime, we do the general public. This is the first  
23 year that we've had a regular schedule with the general public,  
24 and we've done one -- we did one session a week with the  
25 general public, and then we were also doing something with

1 Cresthaven, and we took a group out for them as well.

2 Q. Cresthaven is --

3 A. I'm sorry, the Lodges at Cresthaven is a townhouse --  
4 is it townhouse -- timeshare, that's it.

5 Q. Community?

6 A. Yeah, timeshare. And they worked it out with us so  
7 that we would come, and Shoreline would pick them up at the  
8 dock, and then we would go out and do a floating classroom with  
9 their group each week.

10 Q. And, typically, how many people would go with you?

11 A. It varies. In the summertime, it was, you know, the  
12 public presentations would be anywhere from, you know, 4 people  
13 to 15. The maximum I think that we've ever had with any group  
14 is probably about 30, which includes students and adults.

15 Q. Now the age, just give us an overview of the ages  
16 that would typically be with you.

17 A. Typically is middle school age, so 6th, 7th and 8th  
18 grade, which 11 to 13, somewhere in that range, but we also  
19 have 4th graders from Warrensburg that come up. That's about  
20 as young as we go, although sometimes we have families that  
21 come in the summertime out on the classroom, so we may have  
22 younger kids out as well.

23 Q. Now when the 4th graders, say, are they required to  
24 wear any life jackets or anything?

25 A. No, they weren't.

1           MR. CURTIS: I'm going to pass -- that's all I have  
2 right now. I'll pass it along to Peter.

3           MR. GIONET: Is the classroom --

4           MR. CURTIS: It's Peter Gionet.

5           BY MR. GIONET:

6           Q. Oh, I'm sorry. Peter Gionet, New York State Parks.  
7 Classroom is just on Ethan Allen, or do you switch off with  
8 Champlain or the Algonquin?

9           A. We do switch off sometimes with the de Champlain. I  
10 want to say the Ethan Allen is the one that we've used the  
11 most. Occasionally, a few times I think we've used the  
12 Algonquin, but not very often.

13          Q. Is there a regular skipper that you use?

14          A. Frank Antos is usually our captain. Bruce, I can't  
15 think of his last name, he didn't work this year at Shoreline.  
16 I can't think of Bruce's last name. He was another one that  
17 also captained us frequently, but Frank is the most consistent  
18 since we've been running this program.

19          MR. GIONET: I have nothing else at this time.

20          BY MS. BURER:

21          Q. I'm Mariette. When you talk about the intense  
22 sessions in the spring and the fall, can you give me like exact  
23 dates of when the seasons would start?

24          A. Usually, I would say the third week in September  
25 until the second or third week in October.

1 Q. Okay. And then towards spring?

2 A. The spring, usually second or third week of May into  
3 first or maybe the second week of June.

4 Q. And then in between, it's general public for the  
5 summer sessions?

6 A. Usually. Sometimes we have groups like Bowseas (ph.)  
7 or other groups that will contract with us.

8 Q. Okay. And what I understood earlier was that the  
9 students are typically middle age?

10 A. Middle school.

11 Q. Okay, middle school, that's 11 through 14?

12 A. I believe so.

13 Q. Okay.

14 A. We do do some high school groups and some college  
15 groups on occasion, but the main, our main group is middle  
16 school age.

17 Q. Okay. Do you do any kind of like safety briefing  
18 before you start off during the day, or the session?

19 A. We talk to the kids about when they're doing  
20 experiments, they need to -- they can't stand on any of the  
21 benches, they can't sit. We have tables set up in between some  
22 of the benches for to put equipment on. They can't sit on any  
23 of those benches, they can stand on the floor, they can kneel  
24 on the benches, but that's the extent of it.

25 Q. Okay. Is there usually a lot of activity going on as



1 far as just moving around the boat when you're holding that  
2 particular session?

3 A. There is some moving around, although the captains  
4 have always been very good. Frank, especially, tells the kids  
5 whatever side of the boat you're on, you have to stay on that  
6 side of the boat. There's no switching back and forth,  
7 although if it's a real windy day and they're having problems  
8 with their equipment going under the boat, we'll do a  
9 coordinated switch with another group. Once they're both done,  
10 they'll switch sides and do the experiment from the other side.  
11 There is some movement with the teachers and myself, obviously,  
12 moving back and forth and helping kids. But for the most part,  
13 the kids are in their bench area and pretty much there.

14 Q. Okay. So if you have, say, anywhere -- well, the  
15 maximum of 30 students. How many adults would you have for  
16 those 30 students?

17 A. Typically, I don't think that we've ever had 30  
18 students. Usually, it's about -- we might have 26 or 27  
19 students, and then myself and the captain, and at least 2  
20 teachers. Sometimes it's more if the kids are special ed kids,  
21 they bring more teachers to help work with those kids who may  
22 be attention deficit or more prone to be a little bit more  
23 active. There's more teachers there to help.

24 Q. Okay. But as far as special education, you're not  
25 talking about handicap children, you're talking about as far as

1 physically handicapped children?

2 A. I think once we had someone on a wheelchair. I can  
3 only remember one wheelchair, though, in the 5 years that I've  
4 done it.

5 Q. Okay.

6 A. Usually, they're not physically challenged.

7 Q. Okay. And how do you handle the wheelchair? Do you  
8 remember that?

9 A. I don't, and I don't remember what the disability  
10 was. I want to say that the student, I think they left the  
11 wheelchair at the dock, and the student was carried on, but I  
12 don't remember for sure.

13 Q. Okay. Is it difficult to control the children then  
14 because of -- if they're special education students?

15 A. No. They're -- not that I've ever found. They're  
16 very excited, but everything that we do is set up, it's very  
17 structured, and so there's not really any down time for them  
18 to, you know -- I don't know what they would do, but it's very  
19 structured, and they're usually very excited about what they're  
20 doing. And I've, other than them trying to talk over me when  
21 I'm talking, I don't have any behavior problems.

22 Q. Okay. Do either yourself or the two teachers that  
23 may come along, do they act as a crew, as part of a crew, or is  
24 it that you're playing your own specific role along with the  
25 two teachers played their specific role, and then you have the

1 captain?

2 A. What do you mean by acting as a crew member, I guess?

3 That would be the question.

4 Q. If they need any help or with life jackets or if they  
5 have any questions in regards to the vessel itself or helping  
6 with the captain or --

7 A. I think I usually work pretty well with the captain,  
8 and I'm always aware of what's going on so that, you know, I  
9 feel like if somebody were to fall overboard, the captain and I  
10 would both be working to assist with that. I mean that would  
11 -- I don't -- the teachers I don't feel are really crew  
12 members. I guess I feel as concerned about the safety of the  
13 boat and everything as the captain would be. I don't have the  
14 knowledge of everything, obviously that the captain does, but I  
15 feel a responsibility towards the safety of everyone on board  
16 the vessel.

17 Q. Is everyone aware of where the life jackets are on  
18 the vessel, students and adults alike?

19 A. I would say usually. I know it's well-labeled, and I  
20 think that usually we say something to them, although I can't  
21 say that every single time. There may be times where we don't  
22 point out where the life jackets are.

23 Q. When you start your day before you actually board the  
24 vessel, is there -- or is there any kind of briefing that you  
25 do, or is there a little thing that you go through pretty much

1 on a regular basis that will explain what you're going to do  
2 and what they need to watch out for and all that stuff, or --

3 A. I explain -- we do do a session outside the boat  
4 first, and I talk to them about how to get on to the boat,  
5 where to sit. Sometimes I go over the rules before they get on  
6 the boat. Sometimes I wait until they're on the boat. I guess  
7 I've never thought about explaining to them that you may be  
8 experiencing some rocking with other waves or with the wind.  
9 That's all things that we're, obviously, going to look at in  
10 the future though.

11 Q. Okay. So do they have assigned seating then?

12 A. No.

13 Q. Okay. I thought you meant --

14 A. We tell them, because there's one side that's smaller  
15 than another, I say please sit two to a bench on the one side,  
16 three or four to the bench, depending on the age and the size  
17 of the kids. Obviously, 7th graders are a lot smaller than 8th  
18 graders, so 8th graders are probably only going to be able to  
19 fit three to a bench, whereas the others maybe could fit four.

20 Q. Okay. And for your 4th graders, if you take a class  
21 out for the 4th graders, I forgot what age that is, 8, 9?

22 UNIDENTIFIED SPEAKER: Nine.

23 MS. BURER: Nine?

24 UNIDENTIFIED SPEAKER: Nine.

25 BY MS. BURER:

1           Q.    Okay.  How do you handle -- do you handle them  
2   differently than you would with the middle-aged school kids,  
3   other school kids?

4           A.    I think the teachers handle them a little bit  
5   differently.  It's -- it is still very structured.  They are on  
6   top of them for every little thing.  But I think we're as  
7   structured with the 4th graders as we are with the middle  
8   school students in terms of their safety, what they can do and  
9   what they can't do, moving around.  I would say there's  
10  probably less moving around with the 4th-graders because they  
11  can be more excitable.  So we make more of an attempt to pass  
12  the equipment out to them and tell them to stay seated, we'll  
13  bring the equipment around.  Whereas sometimes, you know, we'll  
14  pull some people out from the 8th graders to come up and get  
15  equipment and bring it back to their seat.

16          Q.    What is the ratio between teachers and the 4th  
17  graders?

18          A.    That's a good question.  I know that there's less 4th  
19  graders that usually come out.  There's -- the classes are much  
20  smaller usually than the others.  It looks like for one of the  
21  days -- it looks like there were about 13, 14 kids and 4 adults  
22  for each of those groups.  The other one it looks like there  
23  was maybe 12, or may have been one group of 25, I don't -- from  
24  here, I can't tell, and 4 adults.  And those adults do not --  
25  that's what the school brings.  That does not include me or the

1 captain.

2 Q. Okay. And the tables, you said that you actually  
3 place tables in between the benches? How long are the tables?  
4 Do you have a set of tables that you use?

5 A. They are actually set up to fit between the benches,  
6 and they are -- there are two short tables for the shorter  
7 bench side, and two longer benches for the other side, and they  
8 are -- they fit so that they perfectly wedge in there. There's  
9 a little wooden thing. I know I'm not explaining it well, but  
10 it basically fits on top of the benches. It covers up one  
11 bench, and so that cuts down on our seating which is why we're  
12 -- we don't take as many people out.

13 Q. And is there usually a certain place on the boat that  
14 you place the tables?

15 A. Uh-huh. We -- the first two benches in the row  
16 someone could sit in. Then there's a table that's covering one  
17 bench, basically. And then two more seats, then another bench  
18 and then two more benches, if that makes sense.

19 Q. Okay. Do you know where the fire extinguishers are  
20 on the vessel, on the Ethan Allen?

21 A. I do not. I would guess back by the captain, but I  
22 do not know for sure. Actually, I think they're right  
23 underneath -- on one of the boats there's a -- I think it's  
24 right -- I can't, I'm not sure. I know if I saw it, I'd be  
25 like oh, yeah, that's where it is, but right off the top of my

1 head, I don't.

2 Q. Okay. So -- that line of questioning then, do you  
3 know how many life jackets for children there are?

4 A. I believe that there's 10 or 15 for children. I know  
5 that they're the very small size, so they wouldn't fit most of  
6 our kids. Most of our kids would need the adult life jackets.

7 Q. And again, do they wear them or --

8 A. No.

9 Q. Okay.

10 A. Occasionally, parents have requested that their  
11 children wear them, in which case I will offer them to the  
12 entire group so that one kid doesn't feel like he's alone. And  
13 sometimes I'll wear one myself because I don't want that one  
14 kid to feel like he's the only one wearing it.

15 Q. Right, right. When you deal with the general public,  
16 can you tell me a little bit about how you deal with the  
17 general public in the summertime versus what you just told me  
18 about fall and summer -- or fall and spring sessions?

19 A. It's a little bit more relaxed. Our, you know, I  
20 think we do more sightseeing and more talking based on what  
21 they want to do. We're not as structured trying to get as much  
22 curriculum in. Depending on, you know, how many kids, I think  
23 we still give the same speech about, you know, be careful of  
24 the tables, don't sit on them or, you know, lean on them, don't  
25 stand on the benches because kids are still going to be kids,

1 whether they're with their parents or not. So if it's an adult  
2 group, we have taken out senior citizen groups and things like  
3 that before. I don't believe I go through that same speech. I  
4 may warn them about the tables, but usually I don't have adults  
5 jumping up on the benches so I don't say anything about that.

6 Q. Any safety briefing performed for the general public  
7 regardless of whether families or senior citizens?

8 A. I believe that sometimes we mention life jackets,  
9 although again, that's something that we're going to be looking  
10 at for the future that we do more of a safety, but I don't  
11 believe that was consistent.

12 MS. BURER: Okay. I'm okay for right now.

13 BY MR. HENRY:

14 Q. Okay. Rob Henry, NTSB. Does -- I guess, can you  
15 tell me a little bit about LGA? What's the purpose of the  
16 organization, is it -- how is it organized? Is it a  
17 non-profit, who belongs to it?

18 A. It is a membership organization. It's a non-profit  
19 organization that was founded in 1885 to help protect Lake  
20 George, originally founded as like a fish and game type of  
21 thing to help the fishery. Now it's expanded. We have eight  
22 full-time staff, and we have an education outreach program, we  
23 have a land use program, which monitors different, you know,  
24 development that's going on on the land and makes comments  
25 where appropriate. We have a project coordinator who does



1 remediation of some of the streams and is starting to do some  
2 stuff with the Deltas. We do, we have a newsletter that goes  
3 out regularly as an educational tool to our members. We have a  
4 membership person. We just try and reach out as much to the  
5 public as possible to educate them on how to take care of the  
6 lake. With school groups, we work hard to try and educate them  
7 how to be stewards of the lake and learn about water quality,  
8 why they should care for it, that sort of thing.

9 Q. What are some of the concerns you all have with the  
10 quality of the lake? What's happening to the lake that  
11 concerns you?

12 A. Well, development is one thing, the rate of  
13 development, especially in Bolton Landing, I guess, is one of  
14 the big areas of concern. Storm water runoff is another one,  
15 especially where fertilizers, road sand and salt are concerned,  
16 invasive species and them getting into the lake and educating  
17 people about them, those are some of our, I would say, biggest  
18 concerns.

19 Q. What about pollution from the vessels operating in  
20 the water?

21 A. That is something -- obviously, it is somewhat of a  
22 concern, but for the most part, we supported the ban of jet  
23 skis or -- I forget the general term.

24 Q. Personal watercraft.

25 A. Thank you, PWC's in the southern basin, but we have

1 not supported it for the entire lake. We feel that regulations  
2 and better enforcement are a bigger concern than, I guess I'm  
3 not saying this well, than the pollution aspect of it.

4 Q. What about shore damage from wakes?

5 A. That has been a concern. One of our board members, I  
6 believe, wrote a letter to the editor this past spring when the  
7 water level was really high, urging people to go slower because  
8 the wake does wash away, erode the shore.

9 Q. Any particular types of vessels cause more of a  
10 problem than less?

11 A. We've never discussed that, I don't believe. We've  
12 never -- we've never looked at types of vessels in terms of the  
13 weight that they cause, just speeding, I think, in general and  
14 asking people to go a little bit slower, especially when the  
15 lake is at a higher level.

16 Q. Okay. And what about noise pollution on the lake?

17 A. That was something that we had wanted to do a study  
18 on, and we never -- I don't know what happened to that. That  
19 was before I came on board. But they had wanted to do a noise  
20 study, and never followed through with that, I guess, at least  
21 up to this point.

22 Q. Do you all have a formal contract with Shoreside --

23 A. Shoreline Cruises?

24 Q. With Shoreline Cruises for your work?

25 A. We get individual contracts. For each day that we're

1 going out, I'll schedule the day. It's been with Caroline that  
2 last couple years. She'll send me a contract and we'll review  
3 that and sign it and give it back.

4 Q. So it's by trip?

5 A. Yes.

6 Q. Do you ever mix your program with the tourist trade?

7 A. I believe the floating classroom is listed on their  
8 web site, I think in their brochure as well. This past summer  
9 we did, I guess, a contract with shoreline to do -- we were  
10 trying to see how it would go if we did a regularly-scheduled  
11 floating classroom once a week on Wednesday mornings at 10 a.m.  
12 And so Shoreline wasn't going to charge us for the program, but  
13 we were -- the passengers who went on would pay Shoreline. So I  
14 was giving, basically, my time, shoreline was giving the boat,  
15 they were getting the money from the tours. We didn't receive  
16 anything, but basically, our goal is to educate people, and so  
17 that was --

18 Q. Have you ever recalled there being an extra crewman  
19 provided on any of your trips?

20 A. Only when -- that I can recall, only when someone was  
21 being trained.

22 Q. Okay. And were you or any of the teachers ever asked  
23 by Shoreline to act as the second crewman on the vessel?

24 A. Not that I recall, no.

25 Q. Okay. What types of water surveys do you do?

1           A.    The experiments on the boat?

2           Q.    Yes.

3           A.    We lower (indiscernible) and we look at the clarity  
4 of the water. We talk about what things are going on onshore  
5 that will affect the clarity. We lower a deep-water sampler,  
6 and each group grows a different depth. We try to locate the  
7 thermocline. When they pull up the deep water sampler, they  
8 take the temperature and the pH. Depending on the age of the  
9 group, we may do dissolved oxygen, and we look at any  
10 variations at different depths of those things. And then we'll  
11 do a plankton trawl and they look at plankton under the  
12 microscopes. And, I mean, we do more discussion in between,  
13 obviously.

14          Q.    I think we happened to see some of your notebooks  
15 that were still on the vessel, and you identify different types  
16 of fish that may be in the lake?

17          A.    Yeah. Occasionally, we'll talk about the fish. We  
18 don't catch any unfortunately, that would be nice.

19          Q.    Is there -- now I'm going to show you a -- this is a  
20 bird's eye map to see -- can you tell me what the typical --  
21 where you leave from and the typical routes of your trips?

22               MR. CURTIS: If you could try to do it verbally where  
23 it's being taped.

24               BY MR. HENRY:

25          Q.    Point out locations.

1           A.    Sure.  Usually in the summertime, or with trips that  
2   are just a one trip, we're not also going to Upland Farm, which  
3   is mostly in the summertime, we'll leave from Shoreline  
4   Cruises, we'll go out to -- usually, we may go over to Wiawaka  
5   on the east side.  We run along the east shore because it's  
6   deeper there and it's easier to do the experiments.  We may --  
7   a lot of times, we'll stop over by Paul's father's, Plum Point,  
8   on down somewhere in there we'll stop to do our experiments.  
9   And then usually, we'll then cross the lake and come back down.  
10  We'll pass by the English brook delta, far away from it but  
11  enough so that I can point that out to the kids and talk about  
12  a delta or the people in general.

13               In the fall and the spring, most of the time we're  
14  going out of Bolton Landing.  We go out at the public dock at  
15  Roger's Park, and we will go out to the lake either -- usually  
16  between Dome Island and just east of the sagamore of Green  
17  Island between Crown Island and Dome Island, somewhere in that  
18  deep water so that we can do experiments.  Occasionally, we'll  
19  go on to the other side of Crown so that if we need to get away  
20  from the wind, it's still deep enough there to do the  
21  experiments.  Other times, we may go in if it's real windy  
22  we'll go farther into Bolton Bay to get out of the wind.

23           Q.    Okay.  And based on the numbers that you had given us  
24  earlier, 20 to 35 trips a year for 5 years, so you've been out  
25  a number of times in all types of conditions, or is there some

1 condition that you had to cancel the trips?

2 A. I did cancel a trip this year. It was -- we had  
3 really high winds, and it was raining, and the high winds  
4 concerned me just because one, you just can't do any  
5 experiments, and it's just too rough. I think the waves were  
6 three feet or something like that that day, and they were  
7 pretty bad, so we did cancel that trip.

8 Q. So what are some of the worst conditions that you've  
9 been out in with your group in the boat?

10 A. We have had some windy weather. We've had rain. We  
11 keep a lookout for thunderstorms. We did come in once this  
12 year because we started getting a thunderstorm. We heard the  
13 thunder and we traveled back into the dock so that the kids can  
14 get off the boat and off the water as soon as possible.

15 Q. So as many times as you've been out in these boats,  
16 you've probably gotten very comfortable with the way they  
17 operate. How stable do you feel they are? Do you have a feel  
18 for your comfort on these vessels?

19 A. I've always felt very comfortable. Ironically, I  
20 guess. I had a couple of students ask me the week before this  
21 all happened if the boat could tip and I told them no.  
22 Occasionally, kids -- when the boat gets a wake and it's  
23 rocking, they'll try and keep it rocking. But either I or the  
24 captain, as soon as we see that, put an axe on that. And, you  
25 know, when the kids have asked can the boat tip and I've said

1 no, you know, I tell them, I further explain to them don't try  
2 to rock the boat because it's not safe, and the captain will  
3 throw you off.

4 Q. Have you ever been out on the boat when it's broken  
5 down?

6 A. Yes. I believe once in the southern basin -- I don't  
7 remember what boat it was, if it was the Ethan Allen or the de  
8 Champlain. It did break down, but I think they got it working  
9 again. I don't think we had to be towed in.

10 Q. They, meaning?

11 A. Shoreline.

12 Q. Came out to the boat?

13 A. Yeah. It was in the southern basin. I believe the  
14 captain, I believe it was Captain Bruce because we joked  
15 whenever he turned off the boat when we were doing experiments  
16 the kids would get this panicked look, and I would say oh,  
17 we're out of gas. And then one day, we weren't out of gas, but  
18 we were, for some reason, broken down. So I don't remember if  
19 they got it started or if we were towed back. I don't remember  
20 ever being towed back, though. I think they got it working.

21 Q. Do you ever recall the captain going below decks to  
22 inspect anything in the engine compartment or in the forward  
23 compartment?

24 A. Not while we were out. I think, I know sometimes  
25 that they had something off of, you know, the boat, they were

1 looking at it or filling it with gas. I didn't really pay  
2 attention. But that was always early, you know, before we went  
3 out. Most of the time when they're -- when I get on board, if  
4 we're going out of Bolton Landing, I get on up in Bolton  
5 Landing. I don't leave from the dock at Shoreline with them.

6 Q. Do you recall if there's a head count on the number  
7 of your group left ashore when you go out?

8 A. How many --

9 Q. How many children, how many adults, how many persons  
10 onboard?

11 A. Yes. I always do a headcount for -- mostly for our  
12 grants and things like that. That -- I then usually put it in  
13 the computer, the book for over five years and our secchi disk  
14 readings and everything was on board.

15 Q. I'm more interested in if there was a headcount  
16 provided when you leave the dock so that somebody would know  
17 how many are on board.

18 A. I do, I do a count every time the kids get on.  
19 Either I do it onshore as we're going down to get on the boat,  
20 or I do it on the boat.

21 Q. Okay, so you know the number, but does anybody ashore  
22 know the number? Or another side of the question is do you  
23 contract for a certain number of persons you're going to put  
24 out on the boat?

25 A. No, but the teachers all know how many students they



1 have in their group. They --

2 Q. But they're on board with you.

3 A. Yes. But I believe that either a head teacher or  
4 both teachers from both groups have a list of the kids and who  
5 was with which group. I don't have that list. I do my own  
6 count.

7 Q. That's ashore or --

8 A. Half of it is probably -- or a full part of it is at  
9 shore with the group that's onshore. If we -- I see what  
10 you're saying. If we have just one group going out say from  
11 Shoreline Cruises and we just have one group --

12 Q. Yeah.

13 A. No, I don't believe anybody onshore knows how many  
14 are onboard.

15 Q. When they sell tickets, they know how many were put  
16 on. And I think when they have charters, they count the heads.  
17 But if you're contracting for the use of a boat and you run  
18 your group on and they take off, the question is does anybody  
19 know ashore how many people are on board in case it goes down  
20 and they know how many people to look for? And so --

21 A. I see what you're saying. I would say that unless  
22 it's a school group, no. Nobody onshore would know that  
23 necessarily. Like if it's a public group, no.

24 Q. You talked about your comfort level on the vessel,  
25 how about how it rides, how it turns, how it takes waves? Any

1 observations on anything that stands out as something worth  
2 commenting on?

3 A. No. Sometimes it has been very rocky. There have  
4 been a couple times in the southern basin during late spring  
5 early summer where there's been so many boats flying by us at a  
6 high speed, we've gotten a lot of cross-wake, and I have had  
7 occasionally, maybe two or three students lose their lunch.

8 MR. CURTIS: So to speak.

9 MS. BADEY: So to speak.

10 BY MR. HENRY:

11 Q. Has the captain ever asked the students to sit down  
12 in those situations?

13 A. Oh, yes. Yes. Absolutely.

14 Q. They may be standing up working on experiments, and  
15 he's asked them to sit down?

16 A. Yes. And if it's -- if they see a wave coming, like  
17 if one of the big boats goes by, usually they'll say something  
18 over the radio like you're going to be feeling some wake in a  
19 minute, just to let you know, so that you're braced for it.  
20 Or, you know, if it's really busy they may ask them to sit  
21 down, or if they feel like they have to move the boat, they'll  
22 ask people to reel stuff in and sit down.

23 Q. Do you recall if the captains have maneuvered the  
24 vessels to take waves at certain angles?

25 A. I believe so. Sometimes they'll start the boat up to

1 get us away from, you know, going too close to shore or  
2 whatever. But a lot of times if we're still moving, I know  
3 they will angle the boat into the wake so that we don't -- so  
4 that we're not rocking.

5 Q. Have you ever been onboard and noticed large vessels  
6 pass by producing large wakes and that being a concern to the  
7 captain and, I guess, yourself for the boat?

8 A. We have definitely had big boats go by us. Sometimes  
9 the captain will, you know, just give us a warning that they're  
10 coming. A lot of times when we're in Bolton Bay  
11 (indiscernible) to St. Sacramento, we'll swing in through there.  
12 The captain will move the boat so that we're not in the way.  
13 He -- I don't know if, I don't really pay attention if he  
14 angles it into the waves or not. I think most of the time they  
15 try to do that so that we're not rocking a whole lot. We have  
16 gotten wakes and rocked, but I never felt unsafe or unsteady.

17 Q. You're a resident of Lake Ulrich?

18 A. No, Lake Luzerne.

19 Q. Lake Luzerne.

20 A. Yes.

21 Q. Do you boat on either one of these two lakes?

22 A. My family has a home on Lake George, and I don't  
23 usually drive the boat very often, but I will go out on boats  
24 with friends and with family.

25 Q. Any particular large vessels that you pay more

1 attention to as far as the wakes than others?

2 A. Well, the Mohican has a nice wake if you're, you  
3 know, towing kids behind in a tube or something like that, it's  
4 definitely a bigger wake. I think I've heard of, you know,  
5 boats, you know, trying to hit the wake of the Mohican, but we  
6 personally don't because we don't want the boat to flip or  
7 anything like that, of any of the big ships.

8 Q. Give us your observation on the professionalism of  
9 the operators of the Ethan Allen that have been out with you.

10 A. I think that they're extremely professional. They  
11 are always very safety conscious of the kids, of you know, the  
12 boat. There's, you know, a lot of things that they absolutely  
13 will not tolerate, and you know, I have always been impressed  
14 with the safety of the captains and their professionalism.

15 Q. Okay. Tell me about the equipment that you have on  
16 the vessel that you use and where you keep it, where you get it  
17 out from, how all that is handled. Because when we were  
18 surveying the boat, there seemed to be quite a bit of it.

19 A. I have two green Tupperware containers that are  
20 smaller that fit perfectly beneath the two benches in the bow  
21 that are right up against the side. They're the only ones  
22 facing each other. And I have one green container under each  
23 of those. I had one larger container probably three and a  
24 half, four feet long that had nets in it, plankton nets. I  
25 also had a red container, a big Tupperware container that had

1 microscopes in it. That was also in the bow. And then in the  
2 stern, I had two containers that contained the deep water  
3 samplers. I believe there were seven deep water samplers in  
4 there.

5 Q. Okay. For the equipment -- the stern, you're talking  
6 about that little open compartment that --

7 A. Yes. The --

8 Q. For the bow, it's below decks?

9 A. No. It was underneath in that compartment where the  
10 anchor is.

11 Q. So it's just under the -- in front of the seats  
12 underneath it. So nothing was kept below decks?

13 A. No.

14 Q. And you had no reason to ever go below decks?

15 A. No.

16 Q. Or look down there?

17 A. No.

18 MR. HENRY: That's all the questions I have right  
19 now. Thank you.

20 MS. BADEY: Sure.

21 BY MR. QUIRK:

22 Q. Hugh Quirk, Shoreline Cruises. Do you have a packet  
23 that you send to the teachers before they bring their groups  
24 that they go over those things -- prior to their arriving at  
25 the boat?

1       A.    If we do, it's usually just equipment that we send to  
2   them, or a brief overview of the day, you know, not to bring  
3   any glass containers with their lunch, that sort of thing.

4       Q.    And do the teachers monitor the behavior of the  
5   students while they're out there?

6       A.    Most of the times, they do.  Sometimes I wish they  
7   did it a little bit more.  But usually, in terms of behavior,  
8   most of them are on them if they're doing anything that could  
9   potentially be dangerous or unsafe to the equipment, but  
10  they're not always on top of them in terms of the talking.

11      Q.    Do you find the boat to be tippy?  Would you say it's  
12  tippy or it's a stabile platform to work from?

13      A.    I think most of the time it's fairly stable.  
14  Sometimes we do catch wakes and we, you know, when you're  
15  focusing on, you know, the equipment and what you're doing,  
16  sometimes it'll catch you a little bit off-guard.  Usually only  
17  me because I'm usually standing walking back and forth helping  
18  students, but I've never felt unsafe or fallen down or anything  
19  like that.  I've always felt they were fairly stable and safe.

20      Q.    And just one more question.  Do you know whether the  
21  school charters, do they leave a normal list with the principal  
22  in the building of all the teachers and the students?

23      A.    My guess would be yes.  I don't know that for  
24  positive, but my guess would be yes.  I don't know for sure.

25           MR. QUIRK:  That's all, thank you very much.

1 MS. BADEY: You're welcome.

2 MR. DAVID: I have nothing.

3 BY MR. CURTIS:

4 Q. Just a couple, Karen. Ever ridden with Captain  
5 Paris?

6 A. A couple of times. Not very often. Usually, like I  
7 said, it's Captain Frank or it's been Bruce. A couple of  
8 times, I believe Mr. Paris has taken us out.

9 Q. And how would you describe his -- him compared to the  
10 other captains professionally?

11 A. He's just as professional as the rest of them. And  
12 he'll, you know, sometimes I have to ask him, you know, to go  
13 to where our usual spot where the other captains take me. Of  
14 course, he wouldn't know that, but he's absolutely just as  
15 professional as the others.

16 Q. Just one administrative question. You said you  
17 mentioned some kind of a disk you dropped.

18 A. Uh-huh.

19 Q. That was a --

20 A. Secchi, S-E-C-C-H-I.

21 Q. S-E-C-C-H-I.

22 A. Uh-huh.

23 Q. Ever had a student with you fall off the vessel?

24 A. No.

25 Q. No -- get really sick or anything like that where

1    you'd have to return to port?

2           A.    We -- at the Sagamore two -- I think two summers ago  
3    or two springs ago, we had a student that we did go back to the  
4    dock for because he was sick, but I don't believe it really had  
5    anything to do with the boat.  I think that he may have been  
6    experimenting with alcohol the night before, or had too much  
7    candy or something like that.  I believe that had more to do  
8    with it because he wasn't feeling well when he got on the boat  
9    to start with, so that was the only time that we came back for  
10   someone.

11          Q.    Do you ever discuss or how would you -- I mean do you  
12   ever discuss with the captains if, for instance, there was a  
13   fire onboard or the boat taking water, emergency instructions  
14   of how that would be handled, how there would be a response,  
15   say to a fire?  Did the captain ever describe to you how would  
16   you handle an emergency situation?

17          A.    No.  I don't believe we've ever discussed that.

18               MR. CURTIS:  That's all I have, thank you.  Peter?

19               BY MR. GIONET:

20          Q.    Peter Gionet, New York State Parks.  Have you ever  
21   handled the boat yourself?

22          A.    Have I driven it?

23          Q.    Yes.

24          A.    No.

25          Q.    Any of the kids?



1           A.    Good Lord, no.

2           Q.    Any of the parents or teachers?

3           A.    Absolutely not.  No.  The captain never leaves the  
4 stern.  I've used the microphone once or twice.

5           Q.    Okay.  Do you know the kids' life jackets were kept?

6           A.    Yes.  They're in the bow of the boat underneath the  
7 bench.

8           Q.    Did Shoreline ever provide you with any additional  
9 life jackets for the kids, seeing that, you know, you may have  
10 a large group of say 4th graders?

11          A.    No.  I believe that they would have if I had ever  
12 asked.

13          Q.    Okay.

14          A.    But like I said, a lot of them, I think, would be too  
15 small for the life jackets.

16          Q.    Did you ever anchor the boat, or are you always  
17 adrift?

18          A.    In the first couple years I did it, I believe we  
19 tried to anchor in some places a few times, and then I think we  
20 just decided it was easier, I think we broke an anchor one day,  
21 it got bent or something in the rocks.  So we decided it was  
22 easier to drift.

23          Q.    Okay.

24                   BY UNIDENTIFIED SPEAKER:

25          Q.    Did you ever smell exhaust gasses on the boat, see

1 smoke come from the engine compartment or anything like that?

2 A. No, I've never seen smoke. I think sometimes when  
3 we're sitting at the dock talking and the engine is going we've  
4 smelled the exhaust, but when we're out on the water, I don't  
5 believe we ever have, and I've never seen smoke.

6 Q. Okay. Nothing else.

7 BY MS. BURER:

8 Q. It's Mariette again. What time do you start in the  
9 morning session?

10 A. Usually 9 a.m., and we go to 11, and then we usually  
11 go out either 11:30 to 1:30 or 11:45 to 1:45, somewhere in that  
12 timeframe, depending on (indiscernible).

13 Q. Is there anything that the captain or anyone else  
14 does before you guys board as far as getting the vessel ready  
15 for the day if you're aware of that?

16 A. I don't -- usually, most of the time we go out from  
17 Bolton Landing, so usually the captain has -- and I meet them  
18 up there, so I don't know what they do. In the mornings, if  
19 I've gotten there early, it's usually not very early. I know  
20 that they're preparing the boat, putting the tables on. I  
21 assume they do gas and things like that beforehand, but I  
22 haven't really ever paid attention.

23 Q. Okay. Do you know how to operate the windows on the  
24 Ethan Allen?

25 A. The windows?

1 Q. Uh-huh.

2 A. Yes.

3 Q. Okay. And are they usually open or closed or --

4 A. They're usually open because we need them to be open  
5 to do the experiments. So they're almost always open.

6 Q. Is that all the windows or --

7 A. Usually, all the windows -- the ones in the bow are  
8 usually closed to keep everything from flying around, the, you  
9 know, equipment, but the rest of them are open.

10 Q. Do you know how many adult life jackets?

11 A. Fifty, I believe.

12 Q. And you said something about the captain is very  
13 safety conscious. Can you elaborate what you mean by safety  
14 conscious?

15 A. They're usually right on top of the kids. If, you  
16 know, if I'm helping a student over here, I don't see somebody  
17 as, you know, standing on a bench, they're usually right on top  
18 of them asking them to sit back down. You know, they -- when  
19 they tie the boat up, they -- you know, when we come back in,  
20 they tell the kids to sit down as they're coming back in, to  
21 stay seated, and I usually further that by saying stay seated  
22 until the captain has turned off the engine and until I'm done  
23 talking. Usually they're seated for a little while even after  
24 that and the captain ties up the boat. They always sound the  
25 horns when they're going in and out of the docks, you know.

1 There's -- in terms of those things that regularly happen,  
2 nobody ever doesn't do them. it's -- and I know that because  
3 usually I'm starting to talk, and they start honking the horn  
4 as I'm talking. You know, with the waves as we're -- you know,  
5 where we go and when we're drifting, a lot of times, they'll  
6 tell us to pull stuff back because you're likely to, you know,  
7 they're going to have to maneuver the boat and that sort of  
8 thing. They do occasionally turn into the wakes, you know,  
9 when the engine's on. I mean little wakes, we do rock, but  
10 it's not usually a big deal. I'm sure there's more, but it  
11 just -- the captains are very much aware of what's going on,  
12 even when I may not be because I'm focusing on the kids and  
13 what's going on, and I'll hear the captain come over the  
14 intercom, you're going to feel some wake, this boat's going by  
15 or whatever, so -- and they always look, when it's windy, they  
16 try and take us out of the wind a little bit so that we're not  
17 riding the waves as much.

18 Q. Okay. Can you describe the role of the teachers that  
19 come aboard with you?

20 A. They're there supposedly to help, to help the kids  
21 with the experiments, to be a disciplinarian if we need it.  
22 Sometimes some of the teachers do just sit in the back and talk  
23 to themselves, but most of the time they are very good about,  
24 you know, helping the kids. I always know which schools I'm  
25 going to have problems with and which schools are going to be,

1 you know, outstanding, the teacher is right on top of the kids,  
2 and is so involved with what they're doing and excited about  
3 being out that the kids are right in there along with them.  
4 And, you know, like Whitehall's a great example. Those kids,  
5 you know, I'll be talking, and they'll ask me how to spell  
6 oligotrophic or secchi or whatever. I mean they're just right  
7 on top of everything.

8 Q. Do you feel at times it's overwhelming with having so  
9 many students, and maybe the teachers talking in the back  
10 amongst themselves, and you're basically just taking care of  
11 the group of students?

12 A. Not really. I don't usually feel overwhelmed.  
13 Sometimes I would like more help from the teachers getting the  
14 kids to be quiet, but it's hard if the teachers are in the back  
15 having a conversation and I have to talk over them. That's  
16 really the only time that I feel -- I wouldn't say overwhelmed,  
17 but I guess annoyed because not only are they not helping,  
18 they're making the problem worse.

19 Q. Right.

20 A. Especially if I'm talking over the boat engine,  
21 that's very difficult. And the more talking that's going on,  
22 the harder it is on my voice.

23 MS. BURER: Thanks.

24 BY MR. HENRY:

25 Q. Rob Henry, NTSB. You had mentioned you have a bunch

1 of plastic boxes for your gear.

2 A. Uh-huh.

3 Q. That's normally left on the vessel?

4 A. Usually during the week it is if I'm going out every  
5 day. On the weekends, I'll ask the captain, and usually on the  
6 weekends I take it off because I want the equipment to dry, and  
7 usually there's stuff going on so the captains ask me to take  
8 it off. That weekend I asked the captain, he said it was okay  
9 to leave it on, and I left everything on because I was having  
10 someone fill in for me on Tuesday, and we didn't have a  
11 classroom on Monday, we did on Tuesday. I was going to be out  
12 that day, and they weren't going to be able to pick up the  
13 equipment and everything, so I thought it would be easier to  
14 leave it on the boat.

15 Q. Okay. For boating in New York State in general, are  
16 you aware of a requirement that children, mandatory, wear life  
17 jackets?

18 A. Yes, and I believe that I have asked that question  
19 before it's come up, but because it's an enclosed vessel, I  
20 believe that it's not required. That was my understanding.

21 MR. HENRY: Okay. That's all I have for you.

22 UNIDENTIFIED SPEAKER: I have no more questions.

23 UNIDENTIFIED SPEAKER: Nothing.

24 MR. CURTIS: Anybody else?

25 BY MR. GIONET:

1           Q.   Peter Gionet, New York State Parks.  Where is the  
2 captain most of the time?  Does he mill around, is he sitting  
3 at the helm?

4           A.   He's usually always at the helm.  He may get up.  If,  
5 you know, I'm doing something and he sees a kid that is not --  
6 is doing something they shouldn't be, he'll leave, tell the kid  
7 to sit down and go back to his spot.  But other than that, he  
8 never leaves the helm.

9           Q.   Thank you.

10          A.   You're welcome.

11               MR. CURTIS:  That's it for you?  Karen, I guess  
12 that's it.  It's 4 p.m. now, and I guess that concludes the  
13 interview.  Thank you very much for coming in.

14               (Whereupon, the interview in the above-entitled  
15 matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           Investigation of MV Ethan Allen  
                                  Lake George, New York  
                                  October 2, 2005  
                                  Interview of Karen Badey

DOCKET NUMBER:           DCA 06 MM 001

PLACE:                    Washington, D.C.

DATE:                     October 10, 2005

was held according to the record, and that this is the  
original, complete, true and accurate transcript which has been  
compared to the recording accomplished at the hearing.

\_\_\_\_\_  
Trevy Thomas  
Transcriber